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8/15/03
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kiyohiro KAWASAKI

Serial No.: 09/868,577

Group Art Unit: 2871

Filed: June 20, 2001

Examiner: Timothy L. Rude

For: INSPECTION AND REPAIR OF ACTIVE TYPE SUBSTRATE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed July 14, 2003, applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 3-12, 21 and 22) in this application.

However, applicants traverse the restriction requirement since the subject matter of all of claims 3-24 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Search and examination of the entire application could be made without

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serious burden. See MPEP §803 which clearly states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy should apply in the present application to avoid unnecessary delay and expense to applicants and duplicative examination by the Patent Office.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.



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August 5, 2003

Date

RWP/mhs

Attorney Docket No.: OGOH:083

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